

NOT FOR PUBLICATION

(Doc. Nos. 14, 18)

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY
CAMDEN VICINAGE**

WILEY MISSION, a religious corporation,

Plaintiff,

V.

STATE OF NEW JERSEY,
DEPARTMENT OF COMMUNITY
AFFAIRS

Defendants.

• • • • •

Civil No. 10-3024 (RBK/JS)

ORDER

THIS MATTER having come before the Court pursuant to the motions by: (1) Plaintiff Wiley Mission, Inc. (the “Church”) for summary judgment, a declaratory judgment, and a permanent injunction enjoining Defendant the State of New Jersey, Department of Community Affairs (the “Department”) from enforcing N.J. Stat. Ann. § 52:27D-345(e) against the Church, (Doc. No. 14); and (2) the Department for summary judgment denying Plaintiff’s claims, (Doc. No. 18); and the Court having considered the parties’ submissions and oral argument on August 23, 2011;

IT IS HEREBY ORDERED that, for the reasons stated in the Court’s accompanying Opinion, the Court **GRANTS** the Church’s motion for summary judgment only as to Count III of the Complaint and **DENIES** the Church’s motion for summary judgment as to the remaining Counts; and

IT IS HEREBY FURTHER ORDERED that, for the reasons stated in the Court’s accompanying Opinion, the Court **GRANTS** the Department’s motion for summary judgment

only as to Counts I, II, IV and V of the Complaint and **DENIES** the Department's motion for summary judgment as to Count III; and

IT IS HEREBY FURTHER ORDERED that the Department is hereby restrained and permanently enjoined from enforcing N.J. Stat. Ann. § 52:27D-345(e) against the Church.

Dated: August 25, 2011

/s/ Robert B. Kugler
ROBERT B. KUGLER
United States District Judge